

# GUIDE TO MAKING A SUBMISSION



People playing an active role in councils' decision making process is one of the basic principles of democracy - you cannot have 'government by the people' if the people are not involved when it comes to decisions that will affect them.

Community involvement in the development of district plans and long term strategic or community plans and annual plans as well as policies, adds to the richness of the dialogue and responsiveness of planners and policy makers. While elected representatives make decisions on our behalf, they don't know what everyone thinks on every issue. Adding your voice assists elected members in their decision making.

Because Hutt City Council wants to ensure every person in our community has a chance to add their views to the discussion and development of plans we have developed this guide to making a submission.

## Why make a submission?

There are many reasons you may wish to make a submission - whether in writing or in person or both. For example you (or your organisation) might want to make a submission if:

- You strongly support all or some of a proposal
- You feel very strongly about an issue or issues
- You and your family will be personally affected by a proposal
- Your business will be affected
- You are part of a group of people with an interest in a proposal - a community of interest
- You want to speak for others who may not be able to speak for themselves
- You have special knowledge or expertise
- You've thought of an important point that might be missed
- You want to add your voice to others to show that a particular view is widely held.

## Who can make a submission?

Any individual or group/organisation can make a submission which will be accepted as long as it is received by the due date and contains details like your name and address.

If you belong to a group or organisation that has an interest in a particular issue you may want to consider making your views heard through their submission.

You can also get together with other like minded people and make a joint submission. Councils take note of how many individuals have signed their name to a particular submission. On one hand this can mean less work for you however on the other hand your particular views may not have as much impact.

You could also decide to endorse a submission coming from others. For example, you might do this if you don't belong to an organisation but you want to support its stand.

### **How do you make a submission?**

Local government submissions are almost always made in writing. Hutt City Council, like most larger councils, provides submission forms to fill in particularly for proposals such as district plan changes or variations. Hutt City Council also provides other ways of making your submission:

- On line - by email or via on-line forms
- In writing without using a submission form
- Oral submission (a written submission is required first)

Oral submissions involve speaking about your views at a hearing.

Some groups or organisations will distribute 'form letters' - a prepared statement they ask others to put their name to and submit separately. This can be effective however they can sometimes be treated as one submission as they are putting forward only one view. Also, you don't get the opportunity to give your personal perspective.

### **Your views or the views of others**

Your submission will generally contain your views however if you have talked to other people about your views they may agree to add their support. In this case you should ask them if you can quote what they have said or the support that they are giving.

If you claim to represent the views of others, it is important that you say exactly who you represent and what authority you have to make a submission on their behalf. If you are making a joint submission make sure everyone involved is named individually. Each person should also sign the submission.

### **Who sees your submission?**

Any submission to a public body can be made public. In some cases it is a legal requirement to publish all submissions at the end of the process, including the names and addresses of those who made submissions. It is a way of ensuring that the process is open and transparent - everyone knows what the council has heard and who said what.

You can ask for some of your details, like your home address, to be kept confidential.

### **How does council deal with submissions?**

Generally council appoints a committee to consider submissions on an issue - that committee will then make recommendations to council. The council will then take into account:

- The evidence provided
- Advice from council officers
- The views of the people most affected by a proposal
- The particular views of people
- The number of people holding a particular view
- The knowledge and expertise of the submitters.

It is not a numbers game - councils don't just count the numbers for and against - they take note of the evidence and arguments when making their decisions.

### **How will you know your submission has been received?**

If you've given us your contact details, you will receive an acknowledgement letter or electronic acknowledgement if you have sent your submission in by email. This letter will also tell you:

- The timeline for the consultation
- Arrangements for the hearing including the date, time and place for oral submissions.

Councils normally contact you again at the end of the process to tell you the outcome of the consultation.

## **Getting started**

If you hear about something you want to have a say on, contact the council concerned to find out how you can play your part in the decision making process by making a submission.

If there is a proposal that council wants to get feedback from the public on, it will usually advertise in local newspapers in the public notices section of the classified advertising pages. Hutt City Council has a 'News and Notices' section on its website which contains a public notices section - <http://www.huttcity.govt.nz/News-and-Notices/Public-Notices/>.

Get a copy of the official call for submissions. This will explain the issue, how to get a full copy of the proposed change, strategy or policy and how to make a submission.

The call for submissions will also give you the key requirements. Make sure you follow all requirements or your submission could be rejected. Usually, a call for submissions will tell you:

- The issue involved and how to get a copy of the draft policy or proposal - some councils provide information in other ways, like public meetings
- The date submissions must be received by
- Who to address submissions to - often a named person
- What format to use - e.g. typed on one side of A4 paper or on a form provided
- The personal details you must provide - normally your full name, street address and daytime phone number, but there can be other details
- The number of copies you need to supply - councils often need only one or two copies
- How to send your submission - many councils now accept submissions by email or online from their websites
- Whether you can make an oral submission at a public hearing, and how to make those arrangements.

## Getting through

Your aim is to make a difference. You want something to happen - or not happen - so the way you explain your views is crucial. Here are some basic tips:

### **Make sure you understand the proposal**

Some proposals are complex. The language used to describe the proposal could be technical. Engineering terms and legal language can be hard to understand. If there's something you don't understand, talk to someone at the council offices. Talk to friends and neighbours to make sure you understand exactly what is proposed.

### **Be strategic**

Work out what you want to achieve and have a careful think about the best way of achieving your aim. Simple opposition might not be the best strategy. The proposal has got this far because enough people see it as a good thing - try to understand their thinking and work out what you can suggest that will achieve your aim and be better for everyone.

### **Stick to the point**

Your submission must be relevant - you must deal with the issue, policy or proposal. You might have a few other things you'd like to tell the council, but this is not the place to say them. Anything off the topic or beyond the scope of the proposal weakens your submission.

### **Use reason and logic**

State your points clearly and back them up with explanation, reasons and evidence. You might be making a submission because you feel passionate - and that's good - this is not an opinion poll. A submission that leaps from one idea to another and doesn't offer evidence won't have much impact. And don't become abusive - you won't persuade people by insulting them.

### **Be concise and straightforward**

Your submission should be as brief as possible - people who read submissions could be wading through hundreds of them. A good rule is to write just one paragraph to explain each of your main points. Aim for no more than four pages. People who deal with submissions say six pages is a long submission.

### **Use direct and simple language**

A clever style and complex vocabulary might sound good but your real point could be lost. Remember the people reading your submission might not be as expert as you are. Bullet points work well in this sort of writing, especially to list a number of related ideas.

### **Be correct and complete**

Double check all your facts and evidence for accuracy - don't just take someone else's word for it. One error could cast doubt on your whole submission. Name your sources, but be brief. Include everything you want the council to know. You can't expect them to track down an article or report that supports your argument - summarise its main points. You could attach a relevant section from a report as an appendix, but only if it's really important.

### **Make it clear what you want to happen - or not happen**

Start with a summary of your general position and end with your recommendations. Be specific about the parts of a proposal you want changed. If you are addressing a particular section or recommendation of a proposal or policy, quote the title or number.

### **Get someone to check it**

You might need an expert to check facts for you but it's also important to try your submission on an ordinary resident - someone who can read it as a council member will.

### **Get it in on time**

Hutt City Council will sometimes accept late submissions, especially if you contact the officials before the closing date. But don't risk wasting your energy by leaving it until the last minute.

## **Your submission**

If your council provides a submission form, you just need to fill in each section.

Most forms have limited space to write but you can continue on another sheet of paper. If you know your comments won't fit into the spaces on the form, write your full submission on another sheet of paper. Fill in your personal details on the form and attach it to your submission.

Please note that submissions on district plan changes must be made on the forms provided by council. Under the Resource Management Act, councils must follow strict legislative procedures when dealing with changes to their district plan. Further advice on making submissions on proposed district plan changes is available on the Ministry for the Environment's website at: [www.mfe.govt.nz](http://www.mfe.govt.nz)

If you are not making a submission on a district plan change and do not want to use a form, follow this pattern in your submission:

### **1. The details**

- The full title of the policy, proposal, issue or bill you are writing about
- The name of the body that called for submissions - including the name of the committee if there is one
- Your full name, address and business hours and telephone number
- If you are writing on behalf of an organisation, give its full title and address and explain what authority you have to represent it
- Indicate whether or not you wish to attend a hearing to make an oral submission. If you know of other people making a similar submission, you could offer to appear at the same time.

### **2. Introduce yourself**

Explain very briefly who you are, why you are making a submission and why the reader should pay attention to your views.

*For example: I am ... a resident in the suburb affected by the plan ... an engineer with specialist knowledge of the issue... a parent whose children walk to school ... a ratepayer concerned about expenditure.  
If you are writing for an organisation, explain the function and purpose of the organisation and why it is interested in this issue.*

### **3. Summarise your position**

Make your position clear at the start of your submission. List the parts or aspects of the proposal you wish to comment on - and say if you are for or against them.

### **4. Give your reasons and argument**

Explain your reasons for opposing or supporting each aspect you have listed in the summary. You might explain what the consequences will be if the plan goes ahead and suggest other ways to achieve the desired outcome. Give supporting facts, data or information, but do this briefly.

### **5. Your recommendations**

Be precise about the decision you want the council to make. You might suggest they delete a section or change some wording. You could even give them the words. You might want them to drop the proposal completely, but it could be more effective to suggest other ways to achieve the outcome they have in mind.

## **Your arguments**

Some tips on thinking about issues and making your voice heard:

### **Understand the big picture**

What is the council trying to achieve with this proposal? If you understand the outcome they want, you might be able to suggest other ways of getting there, ways you don't object to.

*For example: A proposal to ban traffic from a street aims to safeguard pedestrians in a shopping area - but it could increase traffic on your own street. So you recommend one-way traffic, a pedestrian overpass or speed humps in your street.*

### **Think of other agendas**

What points are other people likely to make - especially those who disagree with you? You need to be ready to counter opposing views.

*For example: There is a proposal to create a commercial zone in your neighbourhood. Supporters say it will provide employment and reduce commuter traffic. You see their point but know it will also result in heavy traffic and industrial noise. So you recommend limits on the nature of industries that can operate in the new zone.*

### **Do your homework**

Read everything you can find about an issue - talk to people, read recent newspapers and council papers. Find out what lies behind the proposal, what

discussions led to the proposal. There could be aims and intentions you didn't think of.

*For example: The council wants to pipe a stream that runs through your town. They say it will improve traffic flow and create more retail spaces. You see the stream as a feature of the town. It used to be a traditional fishing area. But you know about the problems - rubbish, smells from stagnant water, ducks in the main street. So you recommend diverting the stream to create a controlled pond in a nearby park.*

### **Do some research**

You might have good reasons for objecting to a proposal but it also helps to be well researched. You might have concerns about the look and feel of a proposal - but there could be good scientific reasons too. Maybe this sort of thing has happened somewhere else. The internet is a good place to start.

*For example: A proposal to improve a sports ground includes removing a stand of trees. You object - the trees look beautiful and provide a relaxing backdrop. Your research reveals that the trees were planted by the town's founder - now you have aesthetic and historical arguments to support your case.*

### **It's OK to be positive**

Many people feel moved to make submissions only when they want to stop something from happening. As a result, many change processes have a negative tone. It's worthwhile writing in support of a proposal you see merit in - but make sure you present solid arguments in favour of the change. It's not enough to say "This is a good idea. I support it".

## **Your oral submission**

Councils usually offer people who make written submissions the option of speaking at a hearing. This is dependent on the type of consultation being undertaken and is known as an oral submission and it gives you a chance to reinforce what you have written.

The acknowledgement letter you receive from the council will probably tell you the date of any hearing and it's common for someone to contact you to discuss details.

### **Should you speak at a hearing?**

It's up to you. How comfortable do you feel about speaking in public (hearings are usually open to the public)? How effective are you as a speaker? Even if you are not a great speaker, if you have good ideas or feel strongly about an issue you could get your opinions across effectively at a hearing.

An oral submission enables you to express your views in a different way or stress your most important points.

Hearings also give members of the council a chance to question you about your views. They might have received comments on your submission from council officials. You need to be ready to defend your opinions and further explain your arguments.

### **Understand the environment**

Sit in the audience at a hearing or go to a council meeting. This will help you understand procedures and protocols - you'll also learn something about the people who will be listening to you.

#### **Ask how the hearing will run**

Ask council officials to tell you how many people will speak, who will be on the committee, who chairs it and where you are on the agenda. If you want to hand out copies of additional material, give them to officials well before the hearing. Ask if further submissions will be called for. Some councils call for a supplementary submission process after a hearing, especially if there are contentious issues.

#### **Be strategic**

Think carefully about how much you should say and how you'll say it. Would a short, sharp statement have most impact? Or should you be more personal, passionate, humorous, dramatic? How many other oral submissions will there be? How will the members of the committee be feeling by the time they listen to you?

#### **Think about making a joint oral submission**

If other people have made written submissions similar to yours, a joint oral statement could have more impact. You could all be there to support the person you want to speak, or you could each take turns to speak.

#### **Arrive early**

Get a feel for the setup, watch how committee members listen and respond to the speakers before you. Then you'll know if your points have been covered or if you should counter some of their arguments.

#### **Introduce yourself**

Make sure everyone knows who you are, why you are making a submission and what your view is on the proposal. If you start with simple, factual statements like this you'll take charge of the situation and feel more calm and relaxed.

#### **Make your strongest points**

There's no need to cover every point you've put in your written submission. Talk about what you think is your most convincing argument. If you want to mention all your points, spend more time on your strongest argument.

#### **Don't just read your submission or make a formal speech**

They've already read your submission and this is the chance for you to present things a little differently. But there's no need to write and memorise a formal speech. A good oral submission is a mix of informal opening and closing comments with a more formal style for your main arguments.

#### **Be fresh and persuasive**

The committee probably has to listen to lots of oral submissions at one sitting, many of them negative. You are at the hearing to make a point, to add impact to what you have written. Find a way to make them sit up and take notice. You could achieve this by being clever, passionate or amusing - but also by being well organised, straightforward, clear and brief.

#### **Be prepared for questions**

The committee might want to question some of your arguments and even debate with you. Think about questions they might ask or issues they might challenge you on. They might have received comments on your submission from council officials.

Have more information ready if you think it might be needed. You might want to encourage discussion.

### **Be prepared for media interest**

Journalists often attend hearings. You need to be prepared for media interest during and after the hearing. If you notice television cameras or radio microphones, make sure you present yourself so you'll be effective if you get to air. You might have to speak a little louder and talk slowly. If your oral submission made an impact, journalists might want to interview you after the hearing. Remember, it's always your decision whether or not you speak to the media. It's probably a question of whether any further comment from you will strengthen or weaken your position.

## **Some definitions**

**City or district councils** are primarily responsible for managing the environmental affects of activities on land.

**Community of interest** is a group of diverse people or organisations with a shared concern who have united to campaign for a common cause.

**District plans** must be prepared by city or district councils to help them carry out their functions under the Resource Management Act.

**Kaitiakitanga:** Guardianship of the environment and natural resources. This concept has long been the basis of the Maori approach to environmental management, which predates the colonial period. It is practised in diverse ways, e.g. maintaining sacred or otherwise important sites, managing fishing grounds, good resource management, and formal and informal environmental protection practices.

**Joint submission** is a submission made by more than one person on one form. A joint submission should name each person individually and be signed by each individual.

**Plan change** is the process that councils use to prepare changes to an operative plan.

**Private plan change** is a plan change initiated by any person to an operative council plan.

**Public notification** means a notice published in a newspaper or notice sent to every person the council thinks may be affected by a proposed plan, plan change or variation.

**Resource consent** is permission from the local council for an activity that might affect the environment, and that isn't allowed 'as of right' in the district or regional plan.

**Resource Management Act 1991 (RMA)** is New Zealand's main piece of environmental legislation and provides a framework for managing the effects of activities on the environment.

**Submissions** outline your written comments, opinions, concerns, support, opposition or neutral stance about a proposed development, a notice of requirement for a designation, or a proposed policy statement or plan.

**Variation** is a change prepared by a council to a proposed plan.

**Working day** means any day except for a weekend day, public holiday, and those days between 20 December and 10 January.